

MDL 1570 PLAINTIFFS' EXECUTIVE COMMITTEES

In re: Terrorist Attacks on September 11, 2001 (S.D.N.Y)

| Plaintiffs' Executive Committee for Personal Injury and Death Claims | Plaintiffs' Executive Committee for Commercial Claims |
|--|--|
| Ronald L. Motley (1944-2013) Jodi Westbrook Flowers / Donald A. Migliori, <i>Co-Chairs</i> MOTLEY RICE LLC James P. Kreindler, <i>Co-Chair</i> KREINDLER & KREINDLER LLP | Elliot R. Feldman, <i>Co-Chair</i> Sean Carter, <i>Co-Chair</i> COZEN O'CONNOR |
| Andrew J. Maloney III, <i>Co-Liaison Counsel</i> KREINDLER & KREINDLER LLP Robert T. Haefele, <i>Co-Liaison Counsel</i> MOTLEY RICE LLC | J. Scott Tarbutton, <i>Liaison Counsel</i> COZEN O'CONNOR |

VIA ECF AND OVERNIGHT MAIL

October 27, 2017

The Honorable George B. Daniels
United States District Court
Southern District of New York
Daniel Patrick Moynihan United States Courthouse
500 Pearl Street
New York, NY 10007

RE: *In Re: Terrorist Attacks on September 11, 2001*, 03 MDL 1570 (GBD) (SN)

Dear Judge Daniels:

The Plaintiffs' Executive Committees, on behalf of the Consolidated Amended Complaint ("CAC") Plaintiffs and the *Ashton* Plaintiffs, write to respectfully request the Court's endorsement of the below proposals concerning page limits for further briefing as to the Motions to Dismiss of the Kingdom of Saudi Arabia and Saudi High Commission for Relief of Bosnia & Herzegovina ("SHC"). The Kingdom and SHC join in this request. Plaintiffs also seek the Court's approval of an administrative proposal relating to their oppositions.

As the Court is aware, the Kingdom of Saudi Arabia previously filed a 75 page¹ Memorandum of Law in support of its Motion to Dismiss the separate CAC and Ashton complaints. The SHC filed a separate Memorandum of Law in support of its Motion to Dismiss, totaling 25 pages. Pursuant to the Court's Order of April 13, 2017, ECF No. 3514, the CAC Plaintiffs and *Ashton* Plaintiffs are filing separate oppositions to those motions.

After spending considerable time working on the opposition briefs, and after conferring with counsel for the defendants, the parties propose as follows:

¹ The CAC and *Ashton* plaintiffs consented to the Kingdom's request for an extension of the page limit for its brief to 75 pages, based on the Kingdom's separate assurances to the CAC and *Ashton* Plaintiffs that it would consent to comparable extensions of the page limit for their briefs.

The Honorable George B. Daniels
Page Two
October 27, 2017

1. The CAC Plaintiffs will file a single brief in opposition to the separate Motions to Dismiss of the Kingdom and SHC, not to exceed 80 pages;
2. The *Ashton* Plaintiffs will file a single brief in opposition to the Motions to Dismiss of the Kingdom and SHC, not to exceed 70 pages; and
3. The Kingdom and SHC will be afforded 75 pages in total for their replies.

The parties believe that the proposal outlined above will allow for the most effective presentation of the issues to the Court.

The PECs respectfully request the Court's authorization to file documentary materials and evidence offered in support of their Oppositions with the Clerk's office via a CD or thumb drive. The Court authorized plaintiffs to do so earlier in the litigation, and the PECs understand that a specific order authorizing the filing of exhibits via a CD or thumb drive will be required by the Clerk's office to do so again in this instance. We will of course serve those materials on counsel for the defendants, and provide courtesy copies to the Court, in whatever form the Court would prefer.

We thank Your Honor in advance for the Court's attention to this matter.

Respectfully,

COZEN O'CONNOR



By: Sean P. Carter

SPC/bdw

cc: The Honorable Sarah Netburn
All Counsel of Record

LEGAL\33027710\1